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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/896,699	06/29/2001	Kenneth R. Rosensteel JR.	52003207	9084

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DR. RUSSELL W. GUENTHNER
BULL HN INFORMATION SYSTEMS INC.
13430 N. BLACK CANYON HWY. B55
PHOENIX, AZ 85029

EXAMINER

GOLD, AVI M

ART UNIT PAPER NUMBER

2157

DATE MAILED: 10/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/896,699		ROSENSTEEL ET AL.	
	Examiner		Art Unit	
	Avi Gold		2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

This action is responsive to the amendment filed on June 15, 2005. Claims 1, 10, 11, and 20-22 were amended. Claims 1-22 are pending.

Response to Amendment

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 4, 7, 14, and 17 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The specification does not contain that one of the fields is alphanumeric and that the characters can be translated from one format to another and that one of the fields comprises floating point numbers that can be translated as well.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 2 and 12 rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: the records are

already in the second interface system so it is not possible for them to be translated in the first interface system at step F.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-3, 8-13, 18-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Sherritt et al., U.S. Patent No. 6,697,895.

Sherritt teaches the invention as claimed including the communication of information between a host computer and a remotely located tape storage device (see abstract).

Regarding claim 1, Sherritt teaches a method of translating blocked data transferred from a program executing on one of a plurality of computer systems to another of the plurality of computer systems, wherein:

the plurality of computer systems comprises:

a first computer system containing a first program communicating through an API with a first interface system (col. 2, lines 15-25, Sherritt discloses a host computer with a virtual adapter), and

a second computer system containing a second interface system for communicating with the first interface system (col. 2, lines 22-30, Sherritt discloses a SCSI tape storage drive using the virtual adapter to communicate with the host);

the first computer system and the second computer system are heterogeneous computer systems coupled together over a communications link (col. 2, lines 15-30);

said method comprising:

A) opening a first session from the first program via the API through the first interface system to the second interface system (col. 2, lines 15-30);

B) specifying from the first program via the API, a first translation for records transmitted over the first session (col. 2, lines 25-38, Sherritt discloses the encoding of the unencoded SCSI command related information so that the information is in a suitable format for transmission);

C) blocking a first plurality of records into a first block of records (col. 2, lines 15-38, col. 8, lines 33-41, Sherritt discloses data blocked before transmission);

D) transmitting the first block of records over the first session from a first one of the plurality of computer systems to a second one of the plurality of computer systems (col. 2, lines 15-38, col. 8, lines 33-49, Sherritt discloses a block sent to the SCSI device);

E) unblocking the first block of records into the first plurality of records on the second one of the plurality of computer systems (col. 2, lines 37-41, Sherritt discloses data being unblocked and decoded); and

F) translating each of the first plurality of records in accordance with the translation specified in step (B) (col. 2, lines 37-41).

Regarding claim 2, Sherritt teaches the method in claim 1 wherein: the translating in step (F) is performed in the first interface system (col. 2, lines 15-38).

Regarding claim 3, Sherritt teaches the method in claim 1 wherein: the translating in step (F) is performed in the second interface system (col. 2, lines 15-38).

Regarding claim 8, Sherritt teaches the method in claim 1 wherein: the specifying in step (B) utilizes a file containing a record description (col. 5, lines 48-67, Sherritt discloses a word processing program with the records).

Regarding claim 9, Sherritt teaches the method in claim 1 wherein: the specifying in step (B) utilizes a memory area containing a record description (col. 5, lines 48-67, Sherritt discloses the records being transferred to memory).

Claims 10-13 and 18-22 do not teach or define any new limitations above claims 1-3, 8, and 9 and therefore are rejected for similar reasons.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 4, 7, 14, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sherritt further in view of Allen, U.S. Patent No. 6,658,625.

Sherritt teaches the invention substantially as claimed including the communication of information between a host computer and a remotely located tape storage device (see abstract).

As to claims 4, 5, 6, 7, 14, 15, 16, and 17, Sherritt teaches the method and software of claims 1 and 11.

Sherritt fails to teach the limitation further including translating a first character format to a second character format, translating a first integer format to a second integer format, translating a first endian format to a second endian format, and translating a first floating point format to a second floating point format.

However, Allen teaches a generic data converter that uses a data description to convert data (see abstract). Allen teaches the use of an integer converted to another integer format, an endian converted to another endian format, and a floating point converted to another floating point (col. 14, lines 5-9) and the use of converting character sets (col. 16, lines 49-52).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Sherritt in view of Allen to translate a first character format to a second character format and translate a first floating point format to a second floating

point format. One would be motivated to do so because it would allow for the communication of data of different formats.

Response to Arguments

8. Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,571,282 to Bowman-Amuah.

U.S. Pat. No. 6,233,619 to Narisi et al.

U.S. Pat. No. 5,596,579 to Yasrebi.

U.S. Pat. No. 5,590,281 to Stevens.

U.S. Pat. No. 6,496,871 to Jagannathan et al.

U.S. Pat. No. 6,041,344 to Bodamer et al.

U.S. Pat. No. 5,983,265 to Martino, II.

U.S. Pat. No. 6,308,178 to Chang et al.

U.S. Pat. No. 5,339,434 to Ruis

U.S. Pat. No. 5,926,636 to Lam et al.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Avi Gold whose telephone number is 571-272-4002.

The examiner can normally be reached on M-F 8:00-5:30 (1st Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Avi Gold
Patent Examiner
Art Unit 2157


A. Salad
Primary Examiner

AMG